



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Louis Crammer,
Supply Support Technician 2
(PC3354T), Department of
Transportation

Examination Appeal

CSC Docket No. 2021-1598

ISSUED: JULY 26, 2021 (SLK)

Louis Crammer appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Supply Support Technician 2 (PC3354T), Department of Transportation.

The subject examination closing date was June 22, 2020. The experience requirements were two years of experience in shipping and receiving work in a warehouse, distribution center, maintenance service area or other similar installation, one year of which shall have involved requisitioning, maintaining and/or issuing parts, mechanical/electrical equipment, supplies, materials, food and/or household goods. A total of three employees applied for the subject examination and one was determined eligible. Certification PS210585 was issued and its disposition is due August 30, 2021. The list expires on April 21, 2024.

On the appellant's application, he indicated that he was provisionally serving in the subject title from December 2019 to the June 22, 2020 closing date, a Truck Driver, Single Axle from January 1994 to December 2019, and a Maintenance Worker 1 from July 1989 to January 1994. Agency Services credited the appellant with seven months of experience based on his provisional service in the subject title, but determined that he lacked one year and five months of experience.

On appeal, the appellant states that at management's direction, in addition to performing his regular duties as a Truck Driver, Single Axle and Maintenance Worker 1, he performed various shipping, receiving, and inventory control duties, which he describes in detail. Further, the appointing authority confirms that the appellant performed the required out-of-title duties throughout his career due to budgetary constraints, hiring/promotional freezes, and other business necessity reasons.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

N.J.A.C. 4A:4-2.1(g) provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject title as he did not clearly explain that he performed the required out-of-title duties as a Truck Driver, Single Axle and Maintenance Worker 1. Additionally, the appellant did not provide any confirmation from the appointing authority with his application that he was performing out-of-title duties. However, on appeal, the appellant clarifies how he performed the required duties throughout his career and the appointing authority confirms that the appellant was assigned the required out-of-title duties due to business necessity. Moreover, the appellant continues to serve provisionally in the subject title and the list is incomplete as there is only one eligible. Accordingly, in this matter, the Commission finds good cause under *N.J.A.C.* 4A:4-2.1(g) and *N.J.A.C.* 4A:4-2.6(c) to accept the appellant's clarified and verified out-of-title experience, for eligibility purposes only, and admit him to the examination.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21ST DAY OF JULY, 2021

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